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7 IN THE UNITED STATES DISTRICT COURT
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9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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11 SECURITIES AND EXCHANGE
12 COMMISSION,

13 Plaintiff,

14 v.

15 FRANCIS ELIAS AXIAQ,

16 Defendant.
17 _____ /

No. C 08-04637 CRB

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**ORDER RE: SCHEDULING OF
SUMMARY JUDGMENT MOTION
HEARING**

22 Now pending before the Court is an ex parte application of Plaintiff SEC to
23 consolidate the summary judgment motion hearing, currently set for September 18, 2009, and
24 the pretrial conference, currently set for September 24, 2009, so that both take place on
25 September 24, 2009. The Court, having carefully reviewed Plaintiff's application and
Defendant's opposition thereto, hereby DENIES Plaintiff's application. The summary
judgment motion hearing shall go forward as currently scheduled.

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28 IT IS SO ORDERED.



CHARLES R. BREYER
UNITED STATES DISTRICT JUDGE

Dated: September 8, 2009